**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.2016 OF 2003**
**IN**
**INCOME TAX APPEAL (LODG.) NO.633 OF 2003**

The Commissioner of Income Tax,
Mumbai City-III, Mumbai .. Appellant
V/s
M/s.KBS Pumps Ltd. .. Respondent

Mr.P.S.Sahadevan for the Appellant.
Mr.Rajesh Shah for the Respondent.

**CORAM : DR.S.RADHAKRISHNAN &**
**J.P.DEVADHAR, JJ.**

**DATE : 5th March, 2007.**

**P.C.:**

1. The learned Counsel for the Appellant seeks leave to withdraw the Notice of Motion since the question of law involved in the Appeal is squarely covered by the judgment of the Supreme Court against the Revenue. Hence, Notice of Motion is allowed to be withdrawn and dismissed as such.

**(J.P.DEVADHAR, J.)** **(DR.S.RADHAKRISHNAN,J.)**